

EXHIBIT E

Declaration of J. Greer Griffith, February 5, 2024

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC., *et al.*,¹

)
) Chapter 11
)
) Case No. 23-10063 (SHL)
)
) (Jointly Administered)
)

**DECLARATION OF J. GREER GRIFFITH IN SUPPORT OF
GENESIS CRYPTO CREDITORS AD HOC GROUP'S
OBJECTION TO CONFIRMATION OF THE AMENDED JOINT
CHAPTER 11 PLAN OF GENESIS GLOBAL HOLDCO, LLC, GENESIS
GLOBAL CAPITAL, LLC, AND GENESIS ASIA PACIFIC PTE. LTD.**

I, J. Greer Griffith, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am a partner at the law firm McDermott Will & Emery LLP, counsel to the Genesis Crypto Creditors Ad Hoc Group in the above-captioned chapter 11 case.

2. I respectfully submit this declaration in support of the Genesis Crypto Creditors Ad Hoc Group's Objection to Confirmation of the Amended Joint Chapter 11 Plan of Genesis Global Holdco, LLC, Genesis Global Capital, LLC, and Genesis Asia Pacific Pte. Ltd.

3. Attached as Exhibit 1 is a true copy of emails exchanged between me and Hoori Kim of Cleary Gottlieb Steen & Hamilton LLP, counsel to the Debtors, in the above-captioned chapter 11 case, dated February 3-4, 2024.

Dated: February 5, 2024
New York, New York

/s/ J. Greer Griffith
J. Greer Griffith
One Vanderbilt Avenue
New York, NY 10017-3852
Telephone: (212) 547-5400
Facsimile: (212) 547-5444
E-mail: ggrieffith@mwe.com

*Counsel to the Genesis Crypto
Creditors Ad Hoc Group*

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's tax identification number (as applicable) are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); and Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these Chapter 11 Cases, the service address for the Debtors is 175 Greenwich Street, Floor 38, New York, NY 10007.

EXHIBIT 1

Emails, dated February 3-4, 2024, exchanged between counsel to the Genesis Crypto
Creditors Ad Hoc Group and counsel to the Debtors

From: Kim, Hoori <hokim@cgsh.com>
Sent: 04 February 2024 20:16
To: Griffith, Greer; VanLare, Jane; Kessler, Thomas; O'Neal, Sean A.; Weaver, Andrew
Cc: Azman, Darren; Evans, Joseph; Steinman, Gregg; Gibson, Matthew; Kowiak, Michael; Wolfe, Timothy
Subject: RE: Genesis - Discovery Issues

You don't often get email from hokim@cgsh.com. [Learn why this is important](#)

[External Email]

Greer,

We are fine with declassifying pages 128:25 - 266:13 of the Paul Aronzon transcript being designated as Confidential Information.

We will not be providing the findings from the Investigation or information related to the interviews in connection with the Investigation as these are privileged information, as objected to during Mr. Aronzon's deposition as well.

Best,
Hoori

Hoori Kim
Cleary Gottlieb Steen & Hamilton LLP
Assistant: casanchez@cgsh.com
One Liberty Plaza, New York NY 10006
T: +1 212 225 2392
hokim@cgsh.com | clearygottlieb.com

From: Griffith, Greer <Ggriffith@mwe.com>
Sent: Saturday, February 3, 2024 5:10 PM
To: VanLare, Jane <jvanlare@cgsh.com>; Kessler, Thomas <tkessler@cgsh.com>; Massey, Jack <jamassey@cgsh.com>; O'Neal, Sean A. <soneal@cgsh.com>; Kim, Hoori <hokim@cgsh.com>; Weinberg, Michael <mdweinberg@cgsh.com>; Minott, Richard C. <rminott@cgsh.com>; Ribeiro, Christian <cribeiro@cgsh.com>; Barefoot, Luke A. <lbarefoot@cgsh.com>; Weaver, Andrew <aweaver@cgsh.com>; Zutshi, Rishi N. <rzutshi@cgsh.com>; sabremer@cgsh.com
Cc: Azman, Darren <Dazman@mwe.com>; Evans, Joseph <Jbevans@mwe.com>; Steinman, Gregg <Gsteinman@mwe.com>; Gibson, Matthew <Mgibson@mwe.com>
Subject: Genesis - Discovery Issues

Jane and Tom,

It is our understanding that the deposition transcript of Paul Aronzon is presumptively treated as Confidential Information. We are writing to object to pages 128:25 - 266:13 of the Paul Aronzon transcript being designated as Confidential Information. Please let us know whether you will agree to declassify this testimony as Protected Information.

Additionally, page 36 of the *Amended Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code* [Doc. 1031] ("Amended Disclosure Statement") states, "Cleary has shared the findings from the Investigation with the Special Committee and counsel to the UCC and the Ad Hoc Group." Please immediately produce these findings as they are squarely responsive to Request No. 6 in the Crypto Ad Hoc Group's Second Request for Production. Please also immediately confirm whether the

detailed investigation reports that were shared with the Special Committee (which Mr. Aronzon testified about during his deposition) were shared with counsel to the UCC and the Ad Hoc Group. If so, please immediately produce these detailed reports as well.

Request No. 10 of the Crypto Ad Hoc Group's Second Request for Production requested "All copies of investigation interviews, deposition transcripts, sworn statements, or any other written or oral statements provided by any of the Released Parties and any of the Released Genesis Personnel in connection with any internal or external investigation that occurred during period of two years prior to the Petition Date to the present." Please immediately produce copies of the list of individuals interviewed, interview notes, interview memos, interview transcripts, and/or witness statements in connection with the 30 interviews that Cleary conducted which are referenced on page 36 of the Amended Disclosure Statement and were referenced during the deposition of Mr. Aronzon.

Please confirm whether you will agree to declassify Mr. Aronzon's deposition testimony and produce the requested documents by Monday, February 5 at 10 a.m.

Greer

GREER GRIFFITH

Partner

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Biography | **Website** | **vCard** | **LinkedIn**

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